

DANIEL MALLORY—LEGAL REPRESENTATIVES OF.

[To accompany bill H. R. No. 789.]

JANUARY 30, 1857.

Mr. FAULKNER, from the Committee on Military Affairs, made the following

REPORT.

The Committee on Military Affairs, to whom was referred the memorial of the legal representatives of Daniel Mallory, deceased, have had the same under consideration, and respectfully report :

It appears that in the early history of the national armories, from the scarcity of that peculiar kind of labor and skill required in the manufacture of small-arms, a practice to a very limited extent prevailed of having boys of fourteen or fifteen years of age bound to the government as apprentices. These indentures of apprenticeship were regularly executed between the father on behalf of his child, and the superintendent on behalf of the government. They were modelled upon the law and usage of the State where the national armory was located. In Virginia, and no doubt in Massachusetts, the provision was invariably inserted, requiring the government to teach the apprentice the trade and business of an armorer, to give him an elementary education, and at the expiration of his term of service two suits of clothes.

It appears from a letter of Mr. Calhoun, dated on the 3d of April, 1820, written when he was Secretary of War, "that the records of that department do not furnish any evidences that the superintendent was authorized to take apprentices to learn the trade of an armorer." Whether the records of the War Department show evidence of such authority or not, or whether any such authority in point of fact ever was given, it is nevertheless an unquestionable fact that such a practice did prevail for a short period at the national armories. Two instances of the kind have been brought to the attention of the committee: one, that of Daniel Johnson, already provided for by a special act of Congress; the other, the claim now under consideration.

The two cases appear to be identical in all their material facts. They were both bound by indentures of apprenticeship to the then superintendent of the United States armory at Harper's Ferry, to learn the trade of armorers, from the date of their indentures, until

they should attain the age of twenty-one years, and were entitled under their indentures to board, clothing, and lodging, and a certain portion of education, and at the expiration of their service to two suits of clothes. They both diligently and faithfully performed the duties of their apprenticeship during its whole term, without receiving the benefits of the education, and the two suits of clothes, which the government was bound by the terms of the indenture to give them. In the case of one of these parties, (Daniel Johnson,) Congress paid him the value of what he was entitled to at the hands of government, which it estimated to be \$194, the aggregate cost of what his schooling and clothing would have amounted to. In the case of Daniel Mallory, the committee deem him to have been entitled to a like measure of relief, and accordingly report a bill giving to his legal representatives one hundred and ninety-four dollars.